



PTO/SB/21 (02-04)  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	<b>10/780,297</b>
	Filing Date	<b>February 17, 2004</b>
	First Named Inventor	<b>Apollon Papadimitriou</b>
	Art Unit	<b>1653</b>
	Examiner Name	<b>Kam, Chih Min</b>
Total Number of Pages in This Submission	Attorney Docket Number	<b>20619 US1</b>

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> <b>English Translation of Ecuadorian Office Action, USPTO Form 1449 and Statement Under 37 CFR Section 1.97(e)</b>		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	<b>Patricia S. Rocha-Tramaloni</b>	
Signature		
Date	<b>April 8, 2005</b>	

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	<b>Patricia S. Rocha Tramaloni</b>	
Signature		Date <b>April 8, 2005</b>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou

Group: 1653

Serial No. 10/780,297, filed February 17, 2004  
(Ref. No. 20619 US1)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110

Date 4/8/05

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents A14-A16 and B13 are listed on Form PTO-1449.

Enclosed is an English Translation of an Office Action issued on January 12, 2005, by the Ecuadorian Patent Office in SP 02 4352PCT application corresponding to the captioned application. The Office Actions lists Documents A1, A14-A16, B1-B4 and B13.

Serial No. 10/780,297  
Filed: February 17, 2004

Documents A1, B1-B4 are not being submitted because they have been made of record in an Information Disclosure Statement sent to the USPTO on May 6, 2004. Documents A14-A16 are not being submitted because they are U.S. Patents. Document B13, which is not written in the English Language, corresponds to Document A15 and is thus also not being submitted.

Consideration of all the documents cited on Form PTO-1449 is requested.

Since the Information Disclosure Statement is submitted after the first Office Action on the merits and after three months of the filing date for the captioned application, there is enclosed a Certificate under 37 C.F.R. § 1.97(e)].

Respectfully submitted,



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PATENT APPLICATION

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Inventors: Apollon Papadimitriou

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Serial No. 10/780,297, filed February 17, 2004  
(Ref. No. 20619 US1)

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**STATEMENT UNDER 37 CFR §1.97(e)**

Nutley, New Jersey 07110

Date April 8, 2005

Mail Stop: Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify:

- X That each item of information contained in the enclosed supplemental information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this supplemental information disclosure statement.

Respectfully submitted,

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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)

## **Complete if Known**

				Application Number	10/780,297
				Filing Date	February 17, 2004
				First Name Inventor	Apollon Papadimitriou
				Group Art Unit	1653
				Examiner Name	Kam, Chih Min
Sheet	1	of	1	Attorney Docket Number	20619 US1

## **U.S. PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A14	5,099,003		Ronald Kotitschke et al	03-24-1992
	A15	5,460,944		Norbert Franken et al	10-24-1995
	A16	5,981,707		Lea Anne Harrington et al	11-09-1999

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	B13	DE 41	35 542		Boehringer Mannheim GmbH	04-29-1993	√
Examiner Signature		Date Considered					

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.